

JAN - 7 2014

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISIONTONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANAIN RE: ACTOS (PIOGLITAZONE)
PRODUCTS LIABILITY LITIGATION

MDL No. 6:11-md-2299

JUDGE DOHERTY

This Document Applies To:

*Allen, et. al. v. Takeda Pharmaceuticals**North America, Inc., et al.*

(Case No. 12-cv-00064)

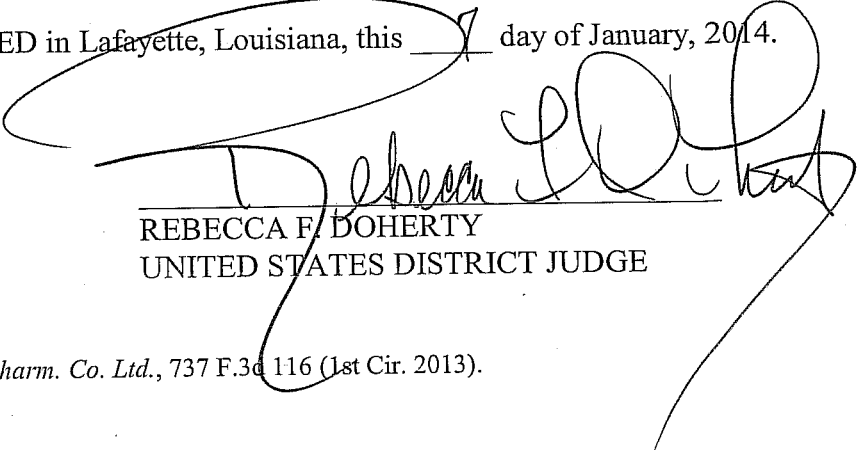
MAGISTRATE JUDGE HANNA

MEMORANDUM RULING AND ORDER

Before the Court is Defendants' Motion in Limine to Exclude the Testimony of Helen Ge filed on October 14, 2013. [Doc. 3408] Plaintiffs' filed a Opposition on November 7, 2013. [Doc. 3559] Defendants filed a Reply on November 14, 2013. [Doc. 3597] This Court previously GRANTED in PART, DENIED in PART, and DEFERRED in PART the motion. [Docs. 3748 & 3750] The DEFERRED part of the motion bears on the admissibility of evidence relating to the filing of the actual *qui tam* action. At the time, appellate review of the dismissal of the action was pending. The appellate court has ruled affirming the dismissal of the *qui tam* action.¹ Additionally, as Dr. Helen Ge will not be appearing live at trial, pursuant to order of this Court, the parties have submitted their edited deposition testimony, and the Court has made certain findings as to testimony concerning the *qui tam*. The Court refers the parties to this Court's ruling—to be issued shortly—as to testimony of the *qui tam* which will be allowed. Consequently, this Court assumes the last remaining aspect of Defendants' Motion in Limine is rendered MOOT.

IT IS HEREBY ORDERED the DEFERRED portion of Defendants' Motion in Limine to Exclude the Testimony of Helen Ge [Doc. 3408] is DENIED as MOOT.

THUS DONE AND SIGNED in Lafayette, Louisiana, this 7 day of January, 2014.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE

¹*U.S. ex rel. Ge v. Takeda Pharm. Co. Ltd.*, 737 F.3d 116 (1st Cir. 2013).